

## **REMARKS**

Applicant wishes to thank the Examiner for an indication of the claims as allowed over the prior art of record.

Applicants respectfully traverse the Examiner's objection to the drawings.

An Annotated Marked-up Drawing of sheet no. 1 is submitted herewith. The marked-up drawing shows the change being made to Figure 3.

The Examiner objected to the reference numeral "10" stating that it was not mentioned in the description. Figure 3 has been amended to omit the reference numeral "10". As an aside, Figure 2 retains the reference numeral "10" which is of course mentioned in the description at line 34 of page 5.

Applicant further submits a Replacement Sheet for drawing sheet no. 1, incorporating the change shown in the marked-up drawing.

The Examiner also objected to the use of the element "TRL" mentioned in the disclosure but not shown in the drawings. The specification has been amended to omit reference to "TR1", "TR2", "TR3" and "TR4".

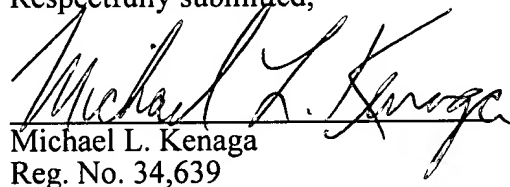
The Examiner indicates at paragraph no. 2 at page 2 that the references listed in the specification do not conform to the requirements of a proper information disclosure statement. The Examiner is correct in this regard. However, all of those references listed in the specification were also cited in the international search report. At paragraph no. 3 of page 3, the Examiner indicates that the listing of references in the international search report also does not comply with the requirements of the information disclosure statement and therefore have not been considered. Here we are in disagreement with the Examiner's position. The form PCT/DO/EO/903, mailed September 17, 2001, indicates that the international search report and copies of the references cited therein were received

by the US Patent Office acting as the elected office. The manual of patent examining procedure indicates at Chapter 609 that the "Examiner will consider the documents cited in the international search report in a PCT National Stage Application when the Form PCT/DO/EO/903 indicates that both the international search report and copy of the documents are present in the national stage file. In such a case, the Examiner should consider documents from the international search report and indicate by a statement in the first Office Action that the information has been considered. There is no requirement that the Examiner lists the documents on a PTO-892 Form."

Initially an information disclosure statement was intentionally omitted by the undersigned for the sake of efficiency. However, the Applicant now submits an information disclosure statement in view of the Examiner's comments. However, this submission should not be considered as the date of submission for purposes of determining compliance with the requirements of the duty of disclosure. Again, Applicant references the Form PCT/DO/EO/903 of which a copy is enclosed.

In view of the foregoing, Applicant submits that the Examiner's objections have been overcome and requests the Examiner's reconsideration and that the application proceed to allowance.

Respectfully submitted,

  
Michael L. Kenaga  
Reg. No. 34,639

**PIPER RUDNICK LLP**  
P.O. Box 64807  
Chicago, Illinois 60664-0807  
Phone: 312/368-4000  
**Customer No.: 28465**

**Proposed Amendment to the Drawings:**

Applicant provides herewith an Annotated Marked-up Drawing of drawing sheet no. 1. The marked-up drawing sheet shows the amendment being made to Figure 3. Figure 3 has been amended to omit the reference numeral "10".

Applicant also submits a Replacement Sheet for drawing sheet no. 1. The replacement sheet incorporates the amendment shown in the annotated marked-up drawing sheet accompanying herewith.

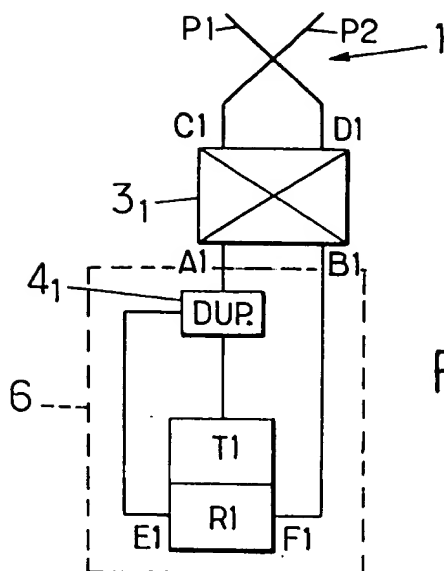


FIG. 1.

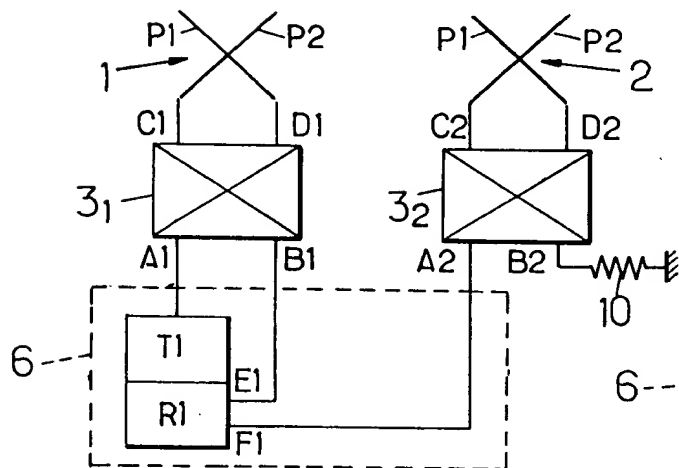


FIG. 2.

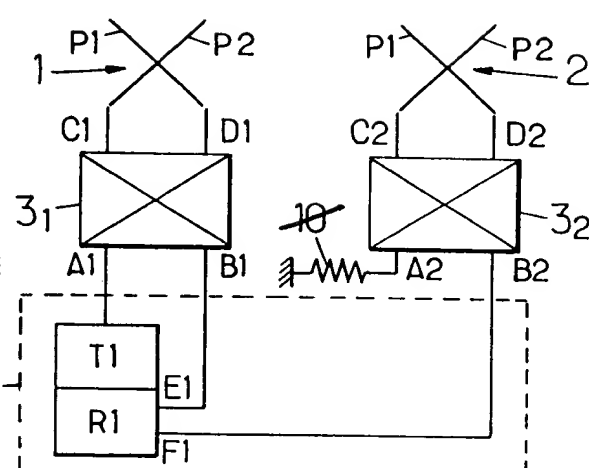


FIG. 3.

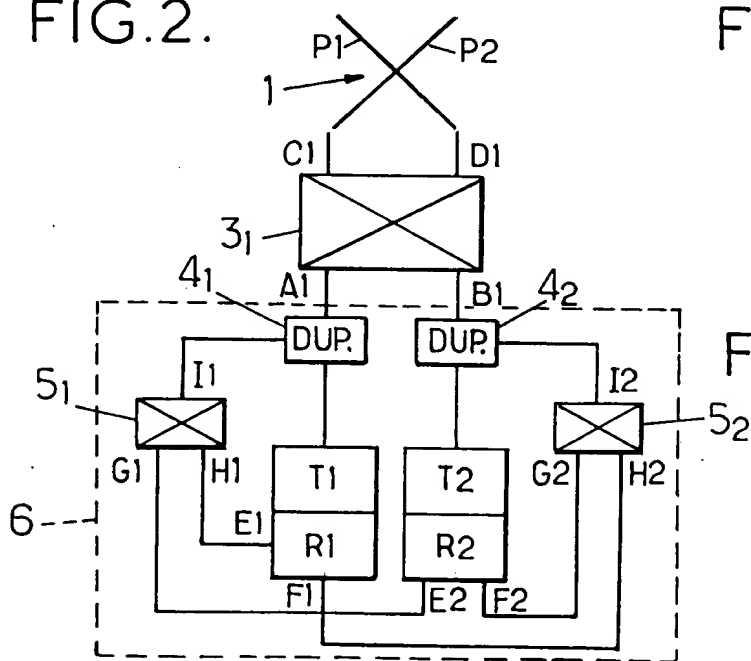


FIG. 4.